

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE	)	Case No. C-07-4580 MHP
COMMISSION,)	
)	
Plaintiff,)	
)	
vs.	)	[PROPOSED] ORDER REGARDING
	)	DEFENDANT KENT H. ROBERTS'
	)	AMENDED AND CORRECTED
KENT H. ROBERTS,	)	ADMINISTRATIVE MOTION TO
	)	FILE UNDER SEAL PORTIONS OF
Defendant.	)	DEFENDANT'S MOTION TO
	)	COMPEL PRODUCTION OF
	)	DOCUMENTS FROM THIRD PARTY
	)	HOWREY LLP AND EXHIBITS D & O
	)	TO THE DECLARATION OF
	)	WILLIAM S. FREEMAN AND IN
	)	SUPPORT OF DEFENDANT KENT H.
	)	ROBERTS' ADMINISTRATIVE
	)	MOTION TO FILE UNDER SEAL
	)	PORTIONS OF DEFENDANTS
	)	SUPPLEMENTAL BRIEF IN
	)	SUPPORT OF ITS MOTION TO
	)	COMPEL AND EXHIBIT A TO THE
	)	DECLARATION OF SHANNON M.
	)	EAGAN IN SUPPORT THEREOF.
)	
	)	[Local Rule 79-5]
)	
	)	Judge: Hon. Marilyn H. Patel
)	

[PROPOSED] ORDER

On February 22, 2008, this Court granted Defendant Kent Roberts' Administrative Motion to File Under Seal Portions of Defendant's Motion to Compel Production of Documents from Third Party Howrey LLP, Portions of the Declaration of William S. Freeman in Support Thereof, and Exhibits D, E, F, J, K, N, O, R, S, T and U

to the Declaration of William S. Freeman, and directed the Clerk of the Court to allow defendant to file certain documents under seal. *See* Docket No. 43.

On March 4, 2008, this Court granted Defendant Kent Roberts' Administrative Motion to File Under Seal Portions of Defendant's Supplemental Brief in support of Motion to Compel Production of Documents from Third Party Howrey LLP and Exhibit A to the Declaration of Shannon M. Eagan, and directed the Clerk of the Court to allow defendant to file certain documents under seal. *See* Docket No. 60.

On March 7, 2008 N. Scott Fletcher, counsel to former McAfee employee Kevin M. Weiss, filed a declaration pursuant to Local Rule 79-5 regarding Portions of Defendant Roberts' Motion to Compel Production of Documents from Third Party Howrey LLP, Exhibits D and O to the Declaration of William S. Freeman, Portions of Defendant's Supplemental Brief in support of Motion to Compel Production of Documents from Third Party Howrey LLP, and Exhibit A to the Declaration of Shannon M. Eagan. Having reviewed the declaration, and good cause appearing therein, the Court finds as follows:

1. The redacted portions of Defendant Roberts' Motion to Compel Production of Documents from Third Party Howrey LLP portions referencing Exhibits D and O to the Declaration of William S. Freeman constitute "Confidential" information under the Protective Order entered in this case and shall remain under seal pursuant to Local Rule 79-5.

2. The redacted portions of Defendant Roberts' Supplemental Brief in support of Motion to Compel Production of Documents from Third Party Howrey LLP portions referencing Exhibit A to the Declaration of Shannon M. Eagan constitute "Confidential"

information under the Protective Order entered in this case and shall remain under seal pursuant to Local Rule 79-5.

3. Exhibit D to the Declaration of William S. Freeman constitutes “Confidential” information under the Protective Order entered in this case and shall remain under seal pursuant to Local Rule 79-5.

4. Exhibit O to the Declaration of William S. Freeman constitutes “Confidential” information under the Protective Order entered in this case and shall remain under seal pursuant to Local Rule 79-5.

5. Exhibit A to the Declaration of Shannon M. Eagan constitutes “Confidential” information under the Protective Order entered in this case and shall remain under seal pursuant to Local Rule 79-5.

IT IS SO ORDERED.

Hon. Marilyn H. Patel